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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/781121
	Filing Date	2/18/2004
	First Named Inventor	Backes
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	160-031

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mary Steubing
Signature	<i>Mary Steubing</i>
Date	10/22/04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Backes et al.	Group Art Unit: Examiner:
Serial No.: 10/781121	
Filed: 2/18/2004	
Title: Program for Selecting an Optimum Access Point in a Wireless Network	
Attorney Docket No.: 160-031	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 33212-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted before the mailing date of the first office action on the merits.

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, if required, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

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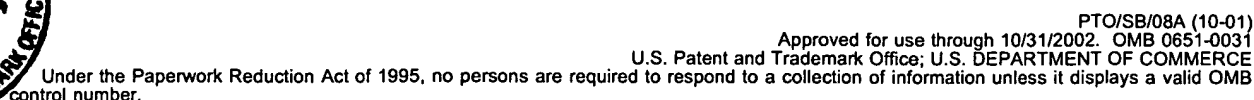
Signature: Mary Steubing

Respectfully submitted,

Mary Steubing
Mary Steubing, Reg. No. 37,946
Attorney/Agent for Applicant(s)
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125 Nagog Park Drive
Acton, MA 01720

Date: 10/22/04

Telephone No.: 978-264-6664



Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/781121
		Filing Date	2/18/2004
		First Named Inventor	Backes
		Group Art Unit	
		Examiner Name	
Sheet 2	of 2	Attorney Docket Number	160-031

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite, No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		IEEE, Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications, Standard 802.11, 1999 edition, Reference number ISO/IEC 8802-11:1999(E), 528 Pages.	
		MICHAEL BARR, "Toward a Smaller Java", Embedded.com, June 14, 2002, Pages 1-9.	
		Moustafa Youssef, "Handling Samples Correlation in the Horus System", IEEE INFOCOM 2004	
		Kin K. Leung, "Integrated Link Adaptation and Power Control for Wireless IP Networks", AT&T Labs - research, January 19, 2000.	
		Ana Zapater et. Al., "Development and Implementation of a Bluetooth Networking Infrastructure for the a Notebook - University Scenario", Institute of Communications Engineering, University of Hannover, May 13, 2003.	
		Walter Klotz, "Graph Coloring Algorithms", 1999.	
		Brent N. Chun et. Al., "Market-based Proportional resource Sharing for Clusters", University of California at Berkeley computer Science Division, September 1999.	
		The Four Color Theorem, Web page, author(s) unknown, updated November 13, 1995.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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